

Amend **HB 1927** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Title 6, Business & Commerce Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. REGULATION OF PRIVATE FIREARM TRANSFERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 205.001. DEFINITIONS. In this chapter:

(1) "Firearm" has the meaning assigned by Section 46.01, Penal Code.

(2) "Physician" means a person licensed to practice medicine in this state.

SUBCHAPTER B. REQUIREMENTS FOR PRIVATE FIREARM TRANSFERS

Sec. 205.051. DOCUMENTATION OF MENTAL HEALTH CHECK REQUIRED FOR PRIVATE TRANSFER OF FIREARM. (a) On request of a person, a physician shall conduct a mental health evaluation of the person and certify, in the form and manner prescribed by the Department of Public Safety, whether the person is prohibited from lawfully possessing a firearm on the basis of the person's mental health. The certification must include the date on which the mental health evaluation was performed.

(b) A physician may certify under Subsection (a) that a person is not prohibited from lawfully possessing a firearm only if the person:

(1) has never been committed to a mental hospital or other inpatient or residential facility as a result of mental illness; or

(2) has been committed to a mental hospital or other inpatient or residential facility as a result of mental illness, but is able to demonstrate to the physician that the person no longer suffers from the mental illness in a manner that would prohibit the person from lawfully possessing a firearm.

(c) A person may not sell or otherwise transfer a firearm to another person unless, before the firearm is delivered, the person to whom the firearm is being sold or transferred presents a physician's certification described by Subsection (a) that:

(1) certifies that the person received a mental health

evaluation described by Subsection (a) and that a physician determined the person is not prohibited from lawfully possessing a firearm; and

(2) indicates the person received the mental health evaluation within the four-year period preceding the date of the instant sale or transfer.

(d) A person who violates Subsection (c) commits an offense. An offense under this subsection is a Class C misdemeanor.